

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

AUG 14 2002

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DALE S. HOWARD, L. JOY GRIEBENOW, and KIM LINGER

Application No. 09/456,647

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on August 2, 2002. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On July 9, 2001, appellants filed an Appeal Brief (Paper No. 14). The appellants stated that "[t]he Commissioner is hereby authorized to charge the fee of \$310.00 (Fee Code 120)" (see Transmittal for Appeal Brief). A review of the file reveals that this fee was not charged to the appellants' account. Appropriate action is required.

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Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) entry of the Appeal Brief fee; and 2) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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